

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Judge Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, November 9, 2021**

**Hearing Room 1675**

11:00 AM  
**2:00-00000**

**Chapter**

**#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.**

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

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**Video/audio web address: <https://cacb.zoomgov.com/j/1610235582>**

**ZoomGov meeting number: 161 023 5582**

**Password: 953658**

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<https://www.cacb.uscourts.gov/judges/honorable-robert-n-kwan> under the "Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these proceedings, please:

- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have completed your appearance(s).

Docket 0

**Tentative Ruling:**

- NONE LISTED -

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1:30 PM

**2:19-13111 Shant John Markarian**

**Chapter 7**

**#1.00** Status conference re: Motion for an order to show cause why Merchants Acquisition Group LLC, Bruce Jackman and Richard W. Snyder should not be held in contempt for violating the discharge injunction

Docket 38

**Tentative Ruling:**

The court has reviewed the joint status report and the proposed litigation schedule set forth therein. Based on the parties' suggested litigation schedule, the court proposes the following schedule: (1) discovery cutoff date: 1/31/22; (2) trial - 3/2/21 and 3/3/21, starting at 10:00 a.m.; (3) movant to file and serve trial declarations of direct examination testimony of witnesses that he is calling at trial by 1/18/22; (4) respondents to file and serve trial declarations of direct examination testimony of witnesses that they are calling at trial and any evidentiary objections to trial declarations of movant's witnesses by 2/1/22; (5) movant to file and serve reply trial declarations and objections to trial declarations of respondents' witnesses by 2/15/22; (6) respondents to file and serve any evidentiary objections to respondents' reply trial declarations by 2/22/22; (7) pretrial stipulation and proposed order thereon to be filed by 2/15/22 if there is a pretrial conference, or witness and exhibit lists to be filed and served by 2/15/22 if there is no pretrial conference; (8) trial exhibits must be tagged for identification and exchanged by 2/1/22; (9) written objections to trial exhibits to be filed and served by 2/15/22; (10) two sets of trial exhibits (hard copies in binders) with an exhibit register must be delivered to the presiding judge by 2/22/22; (11) trial to be conducted remotely on Zoom for Government, and a status conference to test technical capability to be conducted on 2/22/22 at 2:00 p.m.; (12) trial briefs, which are optional, to be filed and served by 2/15/22; (13) witnesses must be available for cross-examination unless appearance is waived by the non-calling parties. At the status conference, the court will discuss with counsel whether a pretrial conference should be conducted since neither party has not requested one, and proceeding with trial remotely as opposed to in person. The court notes that movant stated in the status report that his counsel is attempting to

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**Chapter 7**

contact respondent Jackman directly, which counsel should not be doing as respondent Jackman is a represented party and should only be communicating through his counsel, Mr. Snyder. The court will request counsel for movant to lodge a proposed scheduling order once the schedule is set at the status conference. Appearances are required on 11/9/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Shant John Markarian

Represented By  
Sevan Gorginian

**Movant(s):**

Shant John Markarian

Represented By  
Sevan Gorginian

**Trustee(s):**

Rosendo Gonzalez (TR)

Pro Se

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**2:19-23548 Tarel Deshun Meeks**

**Chapter 7**

Adv#: 2:21-01035 United States Trustee (LA) v. Meeks

**#2.00** Cont'd status conference re: Complaint to revoke the debtor's discharge pursuant to 11 U.S.C. §§727(d)(1) and (2)  
fr. 4/27/21, 8/10/21

Docket 1

**\*\*\* VACATED \*\*\* REASON: Cont'd from 11/9/21 to 12/14/21 at 1:30p.m.  
per stip & order entered on 11/1/21-pp**

**Tentative Ruling:**

Updated tentative ruling as of 11/3/21. Off calendar. Continued by stipulation and order to 12/14/21 at 1:30 p.m. No appearances are required on 11/9/21.

Prior tentative ruling as of 8/9/21. No tentative ruling on the merits. Appearances are required on 8/10/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling. The court has reviewed the joint status report and will set the following pretrial schedule: (1) deadline to file motion to add parties or amend pleadings, 5/28/21; (2) discovery cutoff date, 7/30/21; (3) deadline to file pretrial motions, 7/30/21; and (4) post-discovery status conference, 8/10/21 at 1:30 p.m. Plaintiff to lodge a proposed scheduling order within 7 days of hearing. Appearances are required on 4/27/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Tarel Deshun Meeks

Represented By  
Scott Kosner

**Defendant(s):**

Tarel Deshun Meeks

Pro Se

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**CONT... Tarel Deshun Meeks**

**Chapter 7**

**Plaintiff(s):**

United States Trustee (LA)

Represented By  
Eryk R Escobar

**Trustee(s):**

Brad D Krasnoff (TR)

Represented By  
Eric P Israel

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**2:11-35922 Victor Huevo**

**Chapter 7**

Adv#: 2:11-02825 Ball v. Huevo

**#3.00** Cont'd status conference re: Mandate from The United States Court of Appeals for The Ninth Circuit  
fr. 10/5/21

Docket 311

**Tentative Ruling:**

Updated tentative ruling as of 11/4/21. Having reviewed the declaration of plaintiff's counsel regarding computation of interest on an amended judgment and the stipulation of the parties regarding entry of amended judgment, the court has entered an amended judgment in this adversary proceeding. Because no further action is needed in this adversary proceeding, no appearances are required on 11/9/21.

Prior tentative ruling as of 10/4/21. Appearances are required on 10/5/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Victor Huevo

Represented By  
Baruch C Cohen

**Defendant(s):**

Victor Huevo

Represented By  
M. Jonathan Hayes

**Plaintiff(s):**

Joey Ball

Represented By  
Paul C Bauducco  
Nicholas S Kanter

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**Chapter 7**

**Trustee(s):**

Brad D Krasnoff (TR)

Pro Se



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**2:16-23897 Bryan Andrew James**

**Chapter 7**

**#4.00** Hearing re: Motion for entry of order confirming  
abandonment of certain claims

Docket 61

**Tentative Ruling:**

Revised tentative ruling as of 11/4/21. Having reviewed the moving, opposing and reply papers, the court tentatively rules as follows. Overrule evidentiary objections to debtor's declaration. Deny motion for order confirming abandonment of certain claims without prejudice because the claims were insufficiently described in debtor's bankruptcy schedules as the description of the claims in the schedules was not in the form Schedule B itself, but in a handwritten attachment stating the potential amount of the claims, and without identification of the parties to the claims in litigation, the court where the litigation of the claims were pending and the case numbers of the litigation of the pending claims. 11 U.S.C. 554(c) and 521(a)(1); In re Stevens, 617 B.R. 328, 331-334 (9th Cir. BAP 2020). The description of the claims in the statement of financial affairs is also insufficient as there is no indication that debtor had an affirmative claim pending as the reference to the case in the SOFA only referred to him as a defendant, and not as a counterclaimant (unlike the litigation of debtor's claim against Bryan Craig which indicates debtor as the plaintiff). Even if disclosure of the claims was adequate in the SOFA, 11 U.S.C. 554(c) is narrowly construed that the disclosure of the asset must be in the schedules as opposed to the SOFA. In re Stevens, 617 B.R. at 331-333. Moreover, the trustee's knowledge of an asset is not a substitute for the requirement of proper scheduling of an asset. Id. at 333. It would appear that debtor could amend his schedules to properly schedule the claims pursuant to FRBP 1009, see In re Goswami, 304 B.R. 386, 392-393 (9th Cir. BAP 2003), and can then seek the trustee's voluntary abandonment of the subject assets or move to compel abandonment. 11 U.S.C. 554(a) or (b); see also, In re Stevens, 617 B.R. at 331. Thus, denial is without prejudice. The court disagrees with the objecting creditor's contention that judicial estoppel is applicable here as she has not shown how that doctrine applies here. Appearances are required on 11/9/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

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**Bryan Andrew James**

**Chapter 7**

<b>Party Information</b>
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**Debtor(s):**

Bryan Andrew James

Represented By  
Crystle Jane Lindsey

**Movant(s):**

Bryan Andrew James

Represented By  
Crystle Jane Lindsey

**Trustee(s):**

Jason M Rund (TR)

Represented By  
Brad Krasnoff

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**2:18-21157 Dani Mendoza**

**Chapter 7**

**#5.00** Hearing re: Application for fees and expenses  
[Hahn Fife & Company, LLP, Accountant for Chapter 7 Trustee]

Docket 51

**Tentative Ruling:**

Off calendar. In light of the lack of any timely written opposition to the final fee application of the accountant for the trustee, the court determines that oral argument on the final fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final fee application pursuant to Local Bankruptcy Rule 9013-1(f) and (h), rules on the final fee application on the papers, and approves the final fee application for the reasons stated in the final fee application and for lack of timely written opposition. No appearances are required on 11/8/21. Applicant or trustee to lodge a proposed order within 7 days of hearing.

<b>Party Information</b>
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**Debtor(s):**

Dani Mendoza

Represented By  
Erika Luna

**Trustee(s):**

Peter J Mastan (TR)

Pro Se

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**2:18-21157 Dani Mendoza**

**Chapter 7**

**#6.00** Hearing re: Trustee's final report and account;  
Application for fees and expenses  
[Peter J. Mastan, Chapter 7 Trustee]

Docket 54

**Tentative Ruling:**

Off calendar. In light of the lack of any timely written opposition to the trustee's final report and fee application for the trustee, the court determines that oral argument on the final report and fee application is not necessary and dispenses with oral argument pursuant to Local Bankruptcy Rule 9013-1(j)(3). The court deems the lack of filing and service of a timely written opposition as consent to approval of the final report and fee application pursuant to Local Bankruptcy Rule 9013-1(f) and (h), rules on the final report and fee application on the papers, and approves the final report and fee application for the reasons stated in the final report and fee application and for lack of timely written opposition. No appearances are required on 11/9/21. Trustee to lodge a proposed order within 7 days of hearing.

<b>Party Information</b>
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**Debtor(s):**

Dani Mendoza

Represented By  
Erika Luna

**Trustee(s):**

Peter J Mastan (TR)

Pro Se

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**2:20-21080 Orchid Child Productions, LLC**

**Chapter 7**

**#7.00** Hearing re: Order to show cause why Plonsker Law LLP, counsel for creditor whose Dog R U Productions, Inc., should not be sanctioned based on violations of Local Bankruptcy Rule 5005-2(d).

Docket 54

**Tentative Ruling:**

Off calendar. Having read the declarations of counsel and staff at Plonsker Law, LLP, the court discharges the order to show cause. No appearances are necessary.

<b>Party Information</b>
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**Debtor(s):**

Orchid Child Productions, LLC

Represented By  
Sanaz Sarah Bereliani  
David Brian Lally

**Trustee(s):**

Edward M Wolkowitz (TR)

Represented By  
Gary E Klausner  
Carmela Pagay

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**2:20-21080 Orchid Child Productions, LLC**

**Chapter 7**

**#8.00** Cont'd hearing re: Chapter 7 trustee's motion for order establishing sale procedures for sale of estates right, title and interest to certain property of the estate fr. 9/28/21, 10/5/21

Docket 42

**\*\*\* VACATED \*\*\* REASON: Cont'd from 11/9/21 to 12/7/21 at 2:30 p.m. per stip & order entered on 10/27/21-pp.**

**Tentative Ruling:**

Updated tentative ruling as of 11/3/21. Off calendar. Continued by stipulation and order to 12/7/21 at 2:30 p.m. No appearances are required on 11/9/21.

No tentative ruling as of 10/4/21. Appearances are required on 10/5/21, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Orchid Child Productions, LLC

Represented By  
Sanaz Sarah Bereliani  
David Brian Lally

**Trustee(s):**

Edward M Wolkowitz (TR)

Represented By  
Gary E Klausner  
Carmela Pagay